

**REMARKS**

In an Office Action dated June 17, 2005, the Examiner rejected claims 1-15 under 35 U.S.C. §103(a) as being unpatentable over Ibanez-Meier et al. (U.S. patent no. 6,144,654, hereinafter referred to as "Meier") in view of Chinitz et al. (U.S. patent no. 5,914,958, hereinafter referred to as "Chinitz"). The rejections are traversed and reconsideration is hereby respectfully requested.

The Examiner rejected claims 1-15 under 35 U.S.C. §103(a) as being unpatentable over Meier in view of Chinitz. In particular, the Examiner stated that Meier teaches a method for transmission in a wireless communication system (col. 2, line 20 to col. 4, line 40) including determining a subset of multiple remote units (col. 5, lines 35-65), wherein the subset is determined based on a transmission of each remote unit of the multiple remote units (col. 5, lines 35-65), combining uplink transmissions, of multiple received uplink transmission, that are associated with the subset to produce a combined signal (Abstract), and transmitting the combined signal to a base station to be broadcast via a downlink communication signals to the plurality of remote units (col. 5, line 20-45; FIG. 6).

The Examiner acknowledged that Meier does not disclose determining the subset of the plurality of remote units based on an energy of an uplink transmission of each remote from the plurality of remote units. However, the Examiner contended that this feature is taught by Chinitz, that is, a base station 52 receives uplink signals from groups and assigns a full rate channel to group D (FIG. 5), which solid line of group D is higher in energy than the dotted inbound links. The applicants respectfully disagree and believe that the Examiner's has misapplied both Meier and Chinitz to the pending application.

Meier teaches a transceiver, such as a satellite, that receives signals from multiple sources, such as multiple mobile stations, and groups the signals together based on intended destination. That is, signals sharing a same destination are grouped together to form a combined signal. The combined signal is then encoded using an overlay code and conveyed by the transceiver to a receiver, such as another, intermediate satellite or a destination receiver. When an intermediate transceiver/satellite is involved, the

intermediate transceiver may perform the same steps with respect to signals received by the intermediate transceiver, separating out the individual signals in each combined signal, re-grouping the signals based on a shared destination, and then re-transmitting each combined signal to a next hop using an overlay code. These transceivers are not broadcasting the combined signal. A broadcast is a one-to-many transmission that is used in a group call. Meier teaches nothing concerning a broadcast or a group call. Rather, transceivers taught by Meier merely engage in a one-to-one transmission, that is, each transceiver transmits a combined signal to a next-in-line receiver, be it an intermediate transceiver or a destination receiver. Along that same line, when a combined signal is conveyed to a destination receiver, the destination receiver merely sorts the combined signal into component, individual signals, and forwards each individual signal to its corresponding destination device. This is completely different from claim 1, which teaches combining individual signals for broadcast to the destination devices.

Therefore, not only does Meier not teach the feature of claim 1 of determining a subset of multiple remote units based on an energy of an uplink transmission of each remote from the multiple remote units, as acknowledged by the Examiner, but Meier further does not teach the features of claim 1 of combining uplink transmissions of multiple uplink transmissions that are associated with the subset to produce a combined signal and transmitting the combined signal to a base station for broadcast via a downlink communication signal to the multiple remote units

Chinitz teaches an infrastructure that receives a request from a mobile station for a group call. In response to receiving the request, the infrastructure assigns a low rate inbound signaling link, that is, a control link, to the other members of the group and permits the group member setting up the call (the talker) to transmit over a full rate inbound link. The FIG. 5 referenced by the Examiner is just an example of one group member (group member D) talking over the inbound full rate link while the other group members or mobile stations (that is, group members A, B, and C) are connected to the infrastructure by inbound low rate signaling links. Chinitz says nothing concerning transmissions over these links or measuring an energy of such transmissions; instead, Chinitz merely discloses that the links are assigned to the group members. Furthermore,

nowhere does Chinitz teach anything concerning determining a subset of multiple remote units based on an energy of transmissions by each remote unit via such links. In fact, in Chinitz, a talker and subgroup determination must be made prior to the assignment of the links to the remote units and therefore an energy of transmissions over such links cannot serve as a basis for making a talker and subgroup determination. The possibility that the talker may have a higher energy link is the result of the link assignment, not the basis of the link assignment.

Therefore, neither Meier or Chinitz, individually or in combination, teach the limitations of claim 1 of receiving multiple uplink transmissions from multiple remote units and determining a subset of the multiple remote units, wherein the subset is determined based on an energy of an uplink transmission of each remote from the multiple remote units, combining uplink transmissions of the multiple uplink transmissions that are associated with the subset to produce a combined signal, and transmitting the combined signal to a base station to be broadcast via a downlink communication signal to the multiple remote units. Accordingly, the applicants respectfully request that claim 1 may now be passed to allowance.

Since claims 2-5 depend upon allowable claim 1, the applicants respectfully request that claims 2-5 may now be passed to allowance.

Claim 6 includes limitations of determining second multiple uplink voice transmissions from first multiple uplink voice transmissions received from , wherein the second multiple uplink voice transmissions are associated with a subset of the multiple remote units and are determined based on an energy of their transmission, combining the second multiple uplink voice transmissions, and transmitting the combined uplink voice transmissions to a base station to be broadcast via a downlink voice channel to the multiple remote units. As noted above, these limitations are not taught by Meier or Chinitz, individually or in combination. Accordingly, the applicants respectfully request that claim 6 may now be passed to allowance.

Since claims 7 and 8 depend upon allowable claim 6, the applicants respectfully request that claims 7 and 8 may now be passed to allowance.

With respect to claim 9, as noted above, nowhere does Meier or Chinitz, individually or in combination, teach the logic unit of claim 9 that receives a first multiple uplink transmissions from a multiple remote units as an input and outputs a second multiple uplink transmissions taken from the first multiple uplink transmissions, wherein the second multiple uplink transmissions are associated with a subset of the multiple remote units and are determined based on an energy of each uplink transmission of the first multiple uplink transmissions. Accordingly, the applicants respectfully request that claim 9 may now be passed to allowance.

Since claims 10 and 11 depend upon allowable claim 9, the applicants respectfully request that claims 10 and 11 may now be passed to allowance.

Claim 12 provides for receiving multiple uplink transmissions from multiple remote units, determining a subset of the multiple remote units, wherein the subset is determined based on an energy of an uplink transmission of the multiple uplink transmissions received from each remote of the multiple remote units, and assigning an uplink high speed data channel to the subset of the multiple remote units. Neither Meier nor Chinitz teach anything concerning uplink high speed data channels. Further, as noted above, neither Meier nor Chinitz teach the feature of claim 12 of determining a subset of multiple remote units based on an energy of an uplink transmission of the multiple uplink transmissions received from each remote of the multiple remote units. Accordingly, the applicants respectfully request that claim 12 may now be passed to allowance.

Since claims 13-15 depend upon allowable claim 12, the applicants respectfully request that claims 13-15 may now be passed to allowance.

As the applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the applicants contend that this Response, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Respectfully submitted,  
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